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5 UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

6 UNITED STATES OF AMERICA, }
7 Plaintiff, } NO. CR-02-2150-WFN-1
8 -vs- } ORDER
9 KENNETH LEE TANNEHILL, JR., }
10 Defendant. }

11 Pending before the Court is Defendant's Motion for Retroactive Application of
12 Sentencing Guidelines to Crack Cocaine Offense (Ct. Rec. 87). The Defendant pled guilty
13 to possession with intent to distribute at least 50 grams of a mixture or substance containing
14 a detectable amount of methamphetamine and at least 500 grams of a mixture or substance
15 containing a detectable amount of cocaine (Ct. Rec. 78). The Defendant was sentenced
16 based on these types of drugs. Since crack cocaine was not involved, the Defendant is
17 ineligible for the resentencing requested.

18 The Court has reviewed the file and Motion and is fully informed. Accordingly,
19 **IT IS ORDERED** that Defendant's Motion for Retroactive Application of Sentencing
20 Guidelines to Crack Cocaine Offense, filed June 23, 2008, **Ct. Rec. 87**, is **DENIED**.

21 The District Court Executive is directed to file this Order and provide copies to
22 counsel.

23 **DATED** this 16th day of June, 2009.

24
25 s/ Wm. Fremming Nielsen
26 WM. FREMMING NIELSEN
SENIOR UNITED STATES DISTRICT JUDGE

06-15

ORDER